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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/810,489

03/19/2001

Atsushi Tomita

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8259

7590 10/18/2007  
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EXAMINER

SALAD, ABDULLAHI ELMI

ART UNIT

PAPER NUMBER

2157

MAIL DATE

DELIVERY MODE

10/18/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

09/810,489

Applicant(s)

TOMITA, ATSUSHI

Examiner

Salad E. Abdullahi

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 17 September 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 8-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5,9-11,13 and 15 is/are allowed.
- 6) ☒ Claim(s) 1-4, 6, 8, 12 and 14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9/17/2007 has been entered.

2. Claims 5, 9-11, 13 and 15 are allowed.

3. Applicant's argument with respect claims 1-4, 6, 8, 12, and 14 have been fully considered but are moot in view of new grounds of rejection

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-4, 6, 8, 12 and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Miyawaki U.S. Patent No. 6,032,001[hereinafter Miyawaki].

As per claims 1, 12 and 14, Miyawaki discloses an equipment management apparatus (200 ) for transmitting management information collected from a plurality of equipment

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(copier 100-1 to copier 100-5) to a centralized management apparatus (central controlling 400), comprising:

a detector(sensor) for detecting a trouble which has occurred in a first **image forming apparatus for forming an image on a sheet** (100-1)[ each of the image forming apparatuses includes a trouble sensor for sensing causes of trouble which may occur during an operation of the image forming apparatus] (see fig. 1 and col. 2, lines 21-30);and

a transmission controller (200) for, when the trouble is detected by the detector, transmitting management information about a second **image forming apparatus for forming an image on a sheet** which is **independent from the first image forming apparatus** together with the trouble information about the first equipment to the centralized management apparatus (computer 400) [see figs 1, 14-15, and col. 14, lines 15-57, where the data communication apparatus 200 transmits troubles that occur on the plurality of the image forming apparatus 100, where an urgent trouble may be transmitted with a management information such as no-urgent troubles that occur on the image forming apparatus 100).

As per claim 2, Miyawaki discloses an equipment management apparatus according to claim 1, wherein the transmission controller responds to the detection of the trouble by the detector, and obtains the management information from the second (see col. 14, lines 15-57).

As per claim 3, Kageyama discloses an equipment management apparatus according to claim 1, wherein the transmission controller transmits management information about a

plurality of equipment including the second equipment (see fig. 1 and see paragraph 0088-0091)

As per claim 4, Miyawaki discloses an equipment management apparatus according to claim 1 further comprising a selector for selecting the second equipment among the plurality of equipment based on a specified condition (see col. 14, lines 15-57).

As per claim 6, Kageyama discloses an equipment management apparatus according to claim 4, wherein the specified condition is characteristics of each of the equipment, and the selector selects the second equipment based on the characteristics of each of the equipment (see col. 14, lines 15-57).

As per claim 8, Kageyama discloses an equipment management apparatus according to claim 1, wherein the equipment is an image forming apparatus for forming an image on a sheet (see col. 14, lines 15-57).


### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Salad E Abdullahi whose telephone number is 571-272-4009. The examiner can normally be reached on 8:30 - 5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

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7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

As  
10/14/2007

  
ABDULHADI SALAD  
PRIMARY EXAMINER